

Filed: August 17, 2023

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
ORAL ARGUMENT NOTIFICATION**

ORAL ARGUMENT NOTIFICATION	Please take notice that this case has been scheduled for oral argument as set forth below.
CASE	No. 23-1418, <u>State of West Virginia v. EPA</u> EPA-R03-OAR-2021-0873
PLACE	Lewis F. Powell, Jr., United States Courthouse 1000 East Main Street Richmond, Virginia 23219
ENTRANCE & CHECK-IN	Enter at 1000 East Main St. and check-in at Room 101 (Library) The entrance opens at 7:30 AM during court week.
DATE	10/27/2023
SESSION STARTING TIME	8:30 a.m.
CHECK-IN TIME	7:45-8:00 a.m.
ORAL ARGUMENT ACKNOWLEDGMENT FORM TO BE FILED WITHIN 7 DAYS	Arguing counsel must file the <u>ORAL ARGUMENT ACKNOWLEDGMENT FORM</u> within 7 calendar days of service of this notification. (Click link to access form. ECF Event: Oral Argument Acknowledgement.)
COURTHOUSE INFORMATION	<ul style="list-style-type: none">• Picture ID is required.• No food, water, other beverages, or potential weapons allowed.• Electronic devices permitted for counsel and their staff. Devices must be turned off in the courtroom, unless being used by counsel (in silent mode) during presentation of argument.• For hearing assistance or other access accommodations, call 804-916-2714 in advance of argument date.• Directions, hotel, and parking information are available at <u>www.ca4.uscourts.gov/oral-argument/visiting-the-court</u>.
CJA CASES	CJA attorneys traveling by plane or train must submit a Travel Voucher through CJA eVoucher with an estimated ticket cost (use YCA rate in <u>City-Pair Government Coach Airfares</u>). Once the court has approved the Travel Voucher through CJA

eVoucher, counsel should call the National Travel Service at 800-445-0668 to obtain government-rate plane or train reservations.

ARGUMENT TIME

Each side is normally allowed 20 minutes; if more than one attorney is arguing per side, they must agree on how the time is to be divided. In social security, black lung, and labor cases in which the issue is whether the agency's decision is supported by substantial evidence, and in criminal cases in which the issue is application of the sentencing guidelines, each side is limited to 15 minutes. In en banc cases, each side receives 30 minutes. Appellants & cross-appellants may reserve up to 1/3 of the time for rebuttal.

**IDENTITY OF PANEL &
ORDER OF CASES**

The identity of the panel hearing a case is not disclosed until the morning of argument. The order of cases is subject to change until the morning of argument and is announced in the courtroom.

MOTIONS TO SEAL

Any motion to seal the courtroom for oral argument must be filed at least 5 days prior to argument and state whether opposing counsel consents to the motion.